

## Implementation of UAO Reform Questionnaire

(form revised 5/24/99)

- This form should be filled out for each UAO issued pursuant to CERCLA 106 (except those issued for site access only).
- Please fill out this form **no later than two weeks** after issuance.
- **Once completed, the form should be returned to Mike Northridge or Helena King, USEPA, mail code 2272A, 401 M Street, S.W., Washington, D.C. 20460**, or through LAN mail.
- If you have any questions regarding the questionnaire, please call Mike at (202) 564-4263 or Helena at (202) 564-5124.

**Site Name: Lockformer**

**Region: 5**

**Date Prepared: 10/1/01**

**Preparer Name: T. Krueger**

**Position: ORC**

**Phone Number: 312-886-0562**

- 1) a) Date UAO issued:                      b) UAO Number: \_\_\_\_\_  
(if available)                      (e.g., UA002)

- 2) Purpose of UAO (please ☒ appropriate box):  
(Note: Do not include UAOs that are for **access** only)

Removal	RI/FS	RD/RA
<input checked="" type="checkbox"/>		

- 3) Number of parties receiving the UAO: 2

- 4) Number of parties receiving the UAO that were governmental (local, state or federal) entities: 0  
(Note: Please provide names of any governmental parties that received the UAO)

- 5) Number of parties that did **NOT** receive the UAO: 1

Note: Parties are considered excluded when:

- There is sufficient evidence to make a preliminary determination of potential liability under §107 of CERCLA; and
- They have not previously reached full settlement with the government; and
- They were not issued the UAO.

**STOP** here if the answer to question 5 is zero.

- 6) If parties were excluded from the UAO, please provide the reason(s) for excluding them in the chart on the next page:

**Note:** Agency policy provides for only several acceptable reasons for excluding PRPs from a UAO. These include:

- 1) lack of evidence of the party's liability;
- 2) the party is financially non-viable;
- 3) the party made only a relatively minor contribution towards the site conditions

Site name:

- (e.g., sent only a de minimis amount of waste to the site);
- 4) consideration of work that a PRP has already conducted at the site (or has agreed to conduct), especially where such work is equivalent to that PRP's "fair share;" and
- 5) the UAO was already being issued to a large number of PRPs and the inclusion of additional parties would have raised manageability concerns.

	Reason for Exclusion	Number of Parties Excluded due to Reason	Identify any Government entities excluded
1	Lack of evidence; litigative risks		
2	Financially non-viable		
3	Minor contribution of waste to the site		
4	Contributed "fair share"		
5	Manageability concerns		
	Other reason (please explain)	1	At the request of the other two recipients, who have an indemnification and hold harmless agreement with the third entity. This request is honored in recognition of the performing parties' cooperation and contribution at the Site.

- 7) Did the package presented to the Regional decision-maker identify the PRPs not receiving the UAO, and the reason(s) for their exclusion? *Note: Along with this questionnaire, please submit a copy of the excerpt from the UAO package that identifies the excluded PRP(s) and the reason(s) for exclusion, plus a copy of the cover page for the package (showing, e.g., the name of the decision-maker as the recipient of the package).* Yes.
- A) If the information was not in the UAO package but instead was presented to the Regional decision-maker via a different context, then please prepare a memo to the file now and submit a copy to HQ. The memo should document the different means that were used to present this information to the decision-maker (e.g., via written briefing materials separate from the UAO package itself).
- B) If there is no paperwork documenting that the decision-maker was presented with information regarding both the existence of excluded PRP(s) and the reason(s) for exclusion, please now prepare an appropriate memo to the decision-maker and submit a

copy to HQ.

- 8) If the reason (or one of the reasons) for excluding a party(ies) was lack of financial viability, did the UAO package contain (or cross-reference) documentation for each PRP that allegedly did not have an ability to pay cleanup costs? *Note: For each PRP excluded due to financial viability, the 8/2/96 procedures call for PRP-specific documentation of financial condition.* N/a

.....Please don't hesitate to contact Mike Northridge at (202) 564-4263 or Helena King at (202) 564-5124 with any questions regarding this questionnaire or suggestions for improving this Reform.....